

YOUNG / ARRESTED

FILED

UNITED STATES DISTRICT COURT

for the

Western District of Texas

APR 24 2018

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY ZMV

DEPUTY

United States of America)
 v.)
 Randy Dominguez) Case No. 7:18-MJ-163
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 23rd, 2018 in the county of Ector in the
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

21 USC 841	Posession with intent to distribute five grams or more of actual methamphetamine
18 USC 922(g)	Knowing possession of firearm by prohibited person

This criminal complaint is based on these facts:

See attached

Continued on the attached sheet.



Complainant's signature

Gerardo Ornelas, DEA, Task Force Officer
 Printed name and title

Sworn to before me and signed in my presence.

Date: 4/24/2018



Judge's signature

City and state: Midland, Texas

U.S. Magistrate B. Dwight Goains

Printed name and title

AFFIDAVIT

I, Gerardo Ornelas, an Investigator with the Ector County Sheriff's Office, currently assigned to the Drug Enforcement Administration (DEA) as a Task Force Officer (TFO), being duly sworn state:

1. I have successfully completed extensive training emphasizing narcotics investigation and law enforcement. I have been employed by the Ector County Sheriff's Office as a Deputy Sheriff and Investigator for approximately 7 years and have participated in numerous narcotics investigations involving firearms violations. I have also attended courses based on investigating Narco-Terrorism and interdiction. In addition, I have operated in an undercover capacity during investigations where narcotics were purchased.
2. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced law enforcement officers, and investigators of the Ector County Sheriff's Office. Since this complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known by me in the investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause. Based on the facts cited in the body of this affidavit, I believe that probable cause exists that **Randy DOMINGUEZ** who having been convicted of a crime punishable by imprisonment for a term of six months, namely for the felony offense of Possession of a Controlled Substance – State Jail Felony – Cause # 71391-D on 05-23-2016 in the 320th District Court in Amarillo, Texas, and Evading Arrest Detention with a Motor Vehicle – 3rd Degree Felony – Cause # 71392-D on 05/23/2016 in the 320th District Court in Amarillo, Texas, did knowingly and intentionally possess firearm, to wit: a Smith and Wesson SD9VE semi-automatic pistol (S/N:FZK7092) manufactured in Springfield, MA, which had been

shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g) (1) and Possession with Intent to Distribute five grams or more of Actual Methamphetamine United States Code, Section 841.

3. On Saturday, April 21st, 2018, Ector County Sheriff's Office Special Investigations Unit Sgt. Abel Sanchez received information from a credible and reliable source stating Randy DOMINGUEZ was in route to Amarillo, Texas, to pick up kilo of methamphetamine and transport it back to Odessa, Texas, on the same date. CS stated CS would notify Sgt. Sanchez when DOMINGUEZ arrived back to Odessa with the suspected methamphetamine.
4. On Monday, April 23rd, 2018, Sgt. Sanchez received a phone call from the same CS stating DOMINGUEZ had returned with a large amount of methamphetamine. CS stated DOMINGUEZ was at the game rooms selling methamphetamine and was going to be at the game room located at Mercury and W. University operating a white in color Dodge Charger with black rims. CS stated CS observed the methamphetamine that DOMINGUEZ brought back from Amarillo at his place of residence. CS stated DOMINGUEZ was going to be in possession of approximately one to two ounces of methamphetamine at the game room and the rest was at his residence.
5. ECSO SIU conducted surveillance on the game room given by CS and located the described vehicle parked in the parking lot. A male individual that was identified as DOMINGUEZ was seen exiting the game room got into the described vehicle drove down the road to another game room met with an individual for a couple of minutes then drove back to the original game room on Mercury and went inside.
6. Surveillance was maintained on the game room. DOMINGUEZ was seen coming back out the game room and got into the front passenger side of the vehicle and a female got into the front driver seat. TFO Gerardo Ornelas approached the passenger side seat and DOMINGUEZ opened the door and exited. As DOMINGUEZ exited the vehicle then made

an affirmative movement by reaching into his right front pocket quickly as if he was trying to get something or discard something. A search of DOMINGUEZ was conducted due to his affirmative movement an approximately 23.5 grams of suspected methamphetamine (which is in excess of five grams of actual methamphetamine) was located in DOMINUGUEZ front right pocket. A search of the vehicle was conducted and a firearm was found inside the vehicle. The firearm was located between the front driver side seat and the center console. The firearm was loaded but did not have a live round chambered. The firearm is described as a Smith and Wesson semi-automatic pistol, model # SD9VE, serial # FZK7092, manufactured in Springfield, MA.

7. DOMINGUEZ was detained at that time pending a state search warrant that was going to be executed at his residence located at 1025 N. Moss in Odessa, Ector County, Texas. On the same date ECSO SIU was issued a State Search Warrant by 70th District Judge Denn Whalen and was executed at 1025 N. Moss on the same date.
8. As a result of the execution of the search warrant and search of the residence and property, approximately 213 grams of suspected methamphetamine was located inside a tool box. The suspected methamphetamine was inside a plastic container that had magnets on the bottom of the container. The tool box was located between the living area and laundry room.
9. A computerized criminal (CCH) check was later confirmed by TFO Ornelas on DOMINGUEZ, which showed he was convicted for the felony offense of Possession of a Controlled Substance – State Jail Felony – Cause # 71391-D on 05-23-2016 in the 320th District Court in Amarillo, Texas, and Evading Arrest Detention with a Motor Vehicle – 3rd Degree Felony – Cause # 71392-D on 05/23/2016 in the 320th District Court in Amarillo, Texas.
10. DOMINGUEZ, Post-*Miranda* provided to him by TFO Ornelas and Sgt. Sanchez claimed ownership of the methamphetamine found on his person and the firearm.

11. TFO Ornelas then contacted AUSA Brandi Young and advised her of the incident. AUSA Young did agree to prosecute DOMINGUEZ on the federal level. DOMINGUEZ was arrested pending formal federal charges.
12. The punishment DOMINGUEZ faces if convicted of the alleged charge of being a felon in possession of a firearm as stated in this complaint is a term of imprisonment not to exceed ten years; a three year maximum term of supervised release, a maximum fine of \$250,000; and a \$100 special assessment.
13. The punishment DOMINGUEZ faces if convicted of the alleged charge of being in possession of five grams or more of actual methamphetamine with the intent to distribute it as stated in this complaint is a minimum mandatory term of imprisonment of five years, not to exceed forty years; a four year minimum term of supervised release, a maximum fine of \$5,000,000; and a \$100 special assessment.

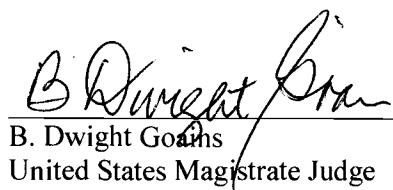


Task Force Officer Gerardo Ornelas
Drug Enforcement Administration

4-24-18

Date

Sworn to and subscribed before me in my presence.



B. Dwight Goans
United States Magistrate Judge

4/24/2018

Date